

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC., a California
Corporation,

Plaintiff and
Counterclaim-Defendant,

v.

INTERNET SECURITY SYSTEMS, INC.,
a Delaware corporation, INTERNET
SECURITY SYSTEMS, INC., a Georgia
corporation, and SYMANTEC
CORPORATION, a Delaware corporation,

Defendants and
Counterclaim-Plaintiffs.

C. A. No. 04-1199 (SLR)

**[PROPOSED] SPECIAL VERDICT
FORM**

We, the jury in the above-entitled action, unanimously find the following
special verdict on the questions submitted to us:

I. INFRINGEMENT BY BOTH DEFENDANTS**'203 Patent**

1. Do you find that SRI has proven by a preponderance of the evidence that Symantec literally infringes the asserted claims of the '203 patent?

	YES (for SRI)	NO (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 6:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 15:	_____	_____
Claim 17:	_____	_____

2. Do you find that SRI has proven by a preponderance of the evidence that Symantec infringes the asserted claims of the '203 patent under the doctrine of equivalents?

	YES (for SRI)	NO (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 6:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 15:	_____	_____
Claim 17:	_____	_____

3. Do you find that SRI has proven by a preponderance of the evidence that ISS literally infringes the asserted claims of the '203 patent?

	YES (for SRI)	NO (for ISS)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 6:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 15:	_____	_____
Claim 17:	_____	_____

4. Do you find that SRI has proven by a preponderance of the evidence that ISS infringes the asserted claims of the '203 patent under the doctrine of equivalents?

	YES (for SRI)	NO (for ISS)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 6:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 15:	_____	_____
Claim 17:	_____	_____

'615 Patent

5. Do you find that SRI has proven by a preponderance of the evidence that Symantec literally infringes the asserted claims of the '615 patent?

	YES (for SRI)	NO (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 7:	_____	_____
Claim 13:	_____	_____
Claim 14:	_____	_____
Claim 16:	_____	_____

6. Do you find that SRI has proven by a preponderance of the evidence that Symantec infringes the asserted claims of the '615 patent under the doctrine of equivalents?

	YES (for SRI)	NO (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 7:	_____	_____
Claim 13:	_____	_____
Claim 14:	_____	_____
Claim 16:	_____	_____

7. Do you find that SRI has proven by a preponderance of the evidence that ISS literally infringes the asserted claims of the '615 patent?

	YES (for SRI)	NO (for ISS)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 13:	_____	_____
Claim 14:	_____	_____
Claim 16:	_____	_____

8. Do you find that SRI has proven by a preponderance of the evidence that ISS infringes the asserted claims of the '615 patent under the doctrine of equivalents?

	YES (for SRI)	NO (for ISS)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 13:	_____	_____
Claim 14:	_____	_____
Claim 16:	_____	_____

II. INFRINGEMENT BY ISS

'338 Patent

9. Do you find that SRI has proven by a preponderance of the evidence that ISS literally infringes the asserted claims of the '338 patent?

	YES (for SRI)	NO (for ISS)
Claim 1:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 11:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 24:	_____	_____

10. Do you find that SRI has proven by a preponderance of the evidence that ISS infringes the asserted claims of the '338 patent under the doctrine of equivalents?

	YES (for SRI)	NO (for ISS)
Claim 1:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 11:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 24:	_____	_____

III. INFRINGEMENT BY SYMANTEC**'212 Patent**

11. Do you find that SRI has proven by a preponderance of the evidence that Symantec literally infringes the asserted claims of the '212 patent?

	YES (for SRI)	NO (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 3:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 6:	_____	_____
Claim 14:	_____	_____
Claim 15:	_____	_____
Claim 16:	_____	_____
Claim 17:	_____	_____

12. Do you find that SRI has proven by a preponderance of the evidence that Symantec infringes the asserted claims of the '212 patent under the doctrine of equivalents?

	YES (for SRI)	NO (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 3:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 6:	_____	_____
Claim 14:	_____	_____
Claim 15:	_____	_____
Claim 16:	_____	_____
Claim 17:	_____	_____

IV. INVALIDITY BASED ON PRIOR ART

‘203 Patent

13. **Anticipation:** Have defendants proven by clear and convincing evidence that the following claims of the ‘203 patent are invalid as anticipated based on the prior art?

	NO (for SRI)	YES (for defendants)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 6:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 15:	_____	_____
Claim 17:	_____	_____

14. **Obviousness:** Have defendants proven by clear and convincing evidence that the following claims of the ‘203 patent are invalid as obvious based on the prior art?

	NO (for SRI)	YES (for defendants)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 6:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 15:	_____	_____
Claim 17:	_____	_____

‘615 Patent

15. **Anticipation:** Have defendants proven by clear and convincing evidence that the following claims of the ‘615 patent are invalid as anticipated based on the prior art?

	NO (for SRI)	YES (for defendants)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 7:	_____	_____
Claim 13:	_____	_____
Claim 14:	_____	_____
Claim 16:	_____	_____

16. **Obviousness:** Have defendants proven by clear and convincing evidence that the following claims of the ‘615 patent are invalid as obvious based on the prior art?

	NO (for SRI)	YES (for defendants)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 4:	_____	_____
Claim 7:	_____	_____
Claim 13:	_____	_____
Claim 14:	_____	_____
Claim 16:	_____	_____

'338 Patent

17. **Anticipation:** Has ISS proven by clear and convincing evidence that the following claims of the '338 patent are invalid as anticipated based on the prior art?

	NO (for SRI)	YES (for ISS)
Claim 1:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 11:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 24:	_____	_____

18. **Obviousness:** Has ISS proven by clear and convincing evidence that the following claims of the '338 patent are invalid as obvious based on the prior art?

	NO (for SRI)	YES (for ISS)
Claim 1:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 11:	_____	_____
Claim 12:	_____	_____
Claim 13:	_____	_____
Claim 24:	_____	_____

‘212 Patent

19. **Anticipation:** Has Symantec proven by clear and convincing evidence that the following claims of the ‘212 patent are invalid as anticipated based on the prior art?

	NO (for SRI)	YES (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 3:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 6:	_____	_____
Claim 14:	_____	_____
Claim 15:	_____	_____
Claim 16:	_____	_____
Claim 17:	_____	_____

20. **Obviousness:** Has Symantec proven by clear and convincing evidence that the following claims of the '212 patent are invalid as obvious based on the prior art?

	NO (for SRI)	YES (for Symantec)
Claim 1:	_____	_____
Claim 2:	_____	_____
Claim 3:	_____	_____
Claim 4:	_____	_____
Claim 5:	_____	_____
Claim 6:	_____	_____
Claim 14:	_____	_____
Claim 15:	_____	_____
Claim 16:	_____	_____
Claim 17:	_____	_____

V. INVALIDITY BASED ON SECTION 112

‘203 Patent

21. Have defendants proven by clear and convincing evidence that the following claims of the ‘203 patent are invalid because of: (i) lack of enablement or (ii) failure by the named inventors to disclose what they believed to be the best mode of practicing their invention? “No” is a finding in favor of SRI, “Yes” to either question is a finding in favor of defendants.

	NO (for SRI)	YES (enablement) (for defendants)	YES (best mode) (for defendants)
Claim 1:	_____	_____	_____
Claim 2:	_____	_____	_____
Claim 4:	_____	_____	_____
Claim 6:	_____	_____	_____
Claim 12:	_____	_____	_____
Claim 13	_____	_____	_____
Claim 15:	_____	_____	_____
Claim 17:	_____	_____	_____

‘615 Patent

22. Have defendants proven by clear and convincing evidence that the following claims of the ‘615 patent are invalid because of: (i) lack of enablement or (ii) failure by the named inventors to disclose what they believed to be the best mode of practicing their invention? “No” is a finding in favor of SRI, “Yes” to either question is a finding in favor of defendants.

	NO (for SRI)	YES (enablement) (for defendants)	YES (best mode) (for defendants)
Claim 1:	_____	_____	_____
Claim 2:	_____	_____	_____
Claim 4:	_____	_____	_____
Claim 7:	_____	_____	_____
Claim 13	_____	_____	_____
Claim 14:	_____	_____	_____
Claim 15:	_____	_____	_____
Claim 16:	_____	_____	_____

‘338 Patent

23. Have defendants proven by clear and convincing evidence that the following claims of the ‘338 patent are invalid because of: (i) lack of enablement or (ii) failure by the named inventors to disclose what they believed to be the best mode of practicing their invention? “No” is a finding in favor of SRI, “Yes” to either question is a finding in favor of defendants.

	NO (for SRI)	YES (enablement) (for defendants)	YES (best mode) (for defendants)
Claim 1:	_____	_____	_____
Claim 4:	_____	_____	_____
Claim 5:	_____	_____	_____
Claim 11:	_____	_____	_____
Claim 12:	_____	_____	_____
Claim 13	_____	_____	_____
Claim 24:	_____	_____	_____

‘212 Patent

24. Have defendants proven by clear and convincing evidence that the following claims of the ‘212 patent are invalid because of: (i) lack of enablement or (ii) failure by the named inventors to disclose what they believed to be the best mode of practicing their invention? “No” is a finding in favor of SRI, “Yes” to either question is a finding in favor of defendants.

	NO (for SRI)	YES (enablement) (for defendants)	YES (best mode) (for defendants)
Claim 1:	_____	_____	_____
Claim 2:	_____	_____	_____
Claim 3:	_____	_____	_____
Claim 4:	_____	_____	_____
Claim 5:	_____	_____	_____
Claim 6:	_____	_____	_____
Claim 14:	_____	_____	_____
Claim 15:	_____	_____	_____
Claim 16:	_____	_____	_____
Claim 17:	_____	_____	_____

Dated: _____ _____
Jury Foreperson